



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER OF PATENTS

February 14, 2005

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In re Application of:

Gary M. Zelman

Serial No: 10/665,400

On Petition

Filing Date: September 20, 2003

For: **EYEWEAR HAVING BOTH A PRIMARY LENS FRAME AND AN AUXILIARY LENS FRAME SEPARATELY COUPLED TO AN EYEWEAR PLATFORM**

In response to the petitions received November 23, 2004, to withdraw the holding of abandonment in the above application.

The petition is Granted.

The above-identified application became abandoned for failure to reply with the meaning of 37 C.D.R 1.113 in a timely manner to the Notice to File Missing Parts of Nonprovisional Application mailed November 24, 2003. Which set forth a shortened statutory period for reply of two months. Accordingly, the above-identified application became abandoned January 27, 2004.

The evidence submitted is sufficient to establish that the petitioners responded to the Notice to File Missing Parts of Nonprovisional Application Papers on December 23, 2003.

The application was abandoned in error. The office regrets any inconvenience this may have caused the client.

The application has been completed with the documents received November 23, 2004 for release to Technology 2873.

Telephone inquiries concerning this application may be directed to Doshie E. Day (703) 308-3640.


Doshie E. Day
Program Management Assistant
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